

HOUSE BILL 431

J2
HB 1232/09 – HGO

0lr0539

By: **Delegates Waldstreicher, Benson, Bromwell, Costa, Donoghue, Elliott, Hixson, Hubbard, Kach, Kipke, Krebs, Kullen, McConkey, Mizeur, Montgomery, Morhaim, Myers, Nathan–Pulliam, Pena–Melnyk, Reznik, and Vallario**

Introduced and read first time: January 29, 2010
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Medical Review Committees – Subpoenas – Medical Records for Mental**
3 **Health Services**

4 FOR the purpose of requiring a medical review committee to notify a certain patient
5 within a certain period of time that the medical review committee is issuing a
6 subpoena for certain medical records for mental health services in response to a
7 certain complaint; and generally relating to the issuance of subpoenas by
8 medical review committees for medical records for mental health services.

9 BY adding to
10 Article – Health Occupations
11 Section 1–401(h)
12 Annotated Code of Maryland
13 (2009 Replacement Volume)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health Occupations**

17 1–401.

18 **(H) IF A MEDICAL REVIEW COMMITTEE HAS SUBPOENA POWERS AND**
19 **ISSUES A SUBPOENA FOR A PATIENT’S MEDICAL RECORDS FOR MENTAL HEALTH**
20 **SERVICES AS THE RESULT OF A COMPLAINT RECEIVED BY THE MEDICAL REVIEW**
21 **COMMITTEE FROM A PERSON OTHER THAN THE PATIENT, ON THE SAME DATE**
22 **THE SUBPOENA IS ISSUED, THE MEDICAL REVIEW COMMITTEE SHALL NOTIFY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 THE PATIENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT THE
2 MEDICAL REVIEW COMMITTEE IS ISSUING THE SUBPOENA FOR THE RECORDS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2010.